

**MINUTES  
FEBRUARY 19, 2013**

**MEETING OF  
THE MAYOR AND CITY COUNCIL  
CITY OF COLUMBUS, MS**

**FEBRUARY 19, 2013  
5:00 p.m.**

The Mayor and City Council met in Regular Session on Tuesday, February 19, 2013 at 5:00 p.m. in the Court Chambers of the Municipal Complex. Mayor Robert Smith presided over the meeting. All Council Members were present. Also present were the COO, Police Chief, the General Counsel and the HR Director.

**I. CALL TO ORDER AND INVOCATION**

Mayor Smith called the meeting to order and called on Council Member Gavin to offer the Invocation.

**II. APPROVE MINUTES FOR THE MEETINGS OF FEBRUARY 5, 2013.**

Council Member Mickens made a motion to approve the minutes for the meeting of February 5, 2013. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion passed.

**III. APPROVE DOCKET OF CLAIMS FOR FEBRUARY 19, 2013.**

Council Member Karriem made a motion to approve the docket of claims for February 19, 2013 in the amount of \$478,843.37. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion passed.

**IV. CONFIRMATION OF/OR AMENDMENTS TO THE AGENDA**

**REPORTS, PROCLAMATIONS, RECOGNITIONS AGENDA:**

*Delete - applicant Pamela Whitney from the Columbus Municipal School Board.*

**CITIZENS INPUT AGENDA:**

*Add Item "B" – Billy Perkins – Re: Blocking Streets in East Columbus.*

**POLICY AGENDA:**

*Add Item "E" – Discuss/Approve Proposed Agreement between Columbus Light & Water and the City of Columbus to paint the utility poles on Main Street, Hwy 82 and 5<sup>th</sup> Streets and to assign one Public Works Employee and Columbus Light & Water Employee and share the expenses for paint and other utensils.*

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Council Member Stewart made a motion to adopt the Agenda as amended. Council Member Karriem seconded the motion.

All Council Members voted in favor of the motion.

The motion passed.

**V. CONSENT AGENDA:**

- A. Approve request for Municipal Court Administrator Lou Dudley to attend the "Mississippi Court Administrators 2013 Spring Conference" that will be held in Jackson, MS on April 24-26, 2013. There is no cost to the City.
- B. Approve request to refund Casey Johnston in the amount of \$250.00 for the date of November 12, 2013.
- C. Approve request for Firefighter Tabitha Barham to attend the "Emergency Services Administrative Professional'S Conference" that will be held in Oxford, MS on April 24-26, 2013, and approve payment in the amount of \$43.12 for travel, \$282.00 for lodging and \$100.00 for registration.
- D. Approve request for Firefighters Randall Beatty, Fredrick Hargrove, Johnny Junkin, and Richard McBride to attend the "CC Fire Inspectors 1031-I Training" that will be held in Pearl, MS, and approve payment in the amount of \$59.68 for travel, \$920.00 for meals and \$3,000.00 in registration.
- E. Approve request for Firefighter Carole Summerall to attend the "Mississippi Association of Public Fire Safety Educators Conference" that will be held in Robinsonville, MS on April 14-18, 2013, and approve payment in the amount of \$70.07 for travel, \$205.00 for meals, \$156.00 for lodging and \$65.00 for registration.
- F. Accept letter of resignation from Firefighter Jerry S. Darrell, effective February 21, 2013.
- G. Approve request to block off streets for the Annual Market Street Festival that will be held on May 3-4, 2013.
- H. Approve request for the Columbus Police Department to host a fundraiser for Police Officer Kelvin Lee on April 20, 2013.

Council Member Karriem made a motion to approve the Consent Agenda as amended. Council Member Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion passed.

#### **IV. REPORTS, PROCLAMATIONS, RECOGNITIONS AGENDA:**

##### **A. General Comments from the Mayor and Council Members**

Mayor Smith recognized Andrew Smith, a Junior and Intern from Mississippi Math and Science School, who is shadowing Mayor Smith and Chief Operations Officer David Armstrong this week and will be shadowing all department heads during his tenure.

Council Member Karriem thanked citizens who called and expressed concern and opinions regarding the School Board Appointment.

##### **B. Swearing-In of Firefighters**

Mayor Smith, along with Chief Ken Moore, Assistant Chief Martin Andrews, and Chief of Training Duane Hughes came forward for the Swearing-In of two (2) Entry Level Firefighters. Mayor Smith swore in Matthew Jones and Chris Carter, and Chief Moore presented the firefighters with helmets after successful completion of all the requirements needed to be certified as a Firefighter.

##### **C. Recognition of Heritage Football Team**

Mayor Smith recognized Heritage Academy's Coaching Staff and football players for their outstanding accomplishment of winning the 2012 Mississippi Association of Independent Schools Division II State Championship.

##### **D. Monthly Report from the Municipal Court Division for January 2013**

The Monthly Report for the Municipal Court Division for January 2013 was presented. No further action was taken.

##### **E. Monthly Report from the Columbus Police Department for January 2013**

The Monthly Report for the Columbus Police Department for January 2013 was presented. No further action was taken.

##### **F. Monthly Report from the Columbus Fire Department for January 2013**

The Monthly Report for the Columbus Fire Department for January 2013 was presented. No further action was taken.

##### **G. Monthly Report from the Public Works Department for January 2013**

The Monthly Report for the Public Works Department for January 2013 was presented. No further action was taken.

##### **H. Monthly Report from the Federal Programs Department for January 2013**

The Monthly Report for the Federal Programs Department for January 2013 was presented. No further action was taken.

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**I. Monthly Report from the Building Inspection Department for January 2013**

The Monthly Report for the Building/Inspection Department for January 2013 was presented. No further action was taken.

**J. Monthly Report from the Code Enforcement Division for January 2013**

The Monthly Report for the Code Enforcement Division for January 2013 was presented. No further action was taken.

**K. Monthly Financial Report**

Chief Operations Officer David Armstrong announced that the Sale Tax numbers have not been reported. No further action was taken.

**L. Board Vacancies:**

Chief Operations Officer David Armstrong announced that there are two (2) board vacancies and that the appointments can be made tonight.

**Columbus Convention & Visitors Bureau**

- One vacancy
- 3-Year Term
- Dewitt T. Hicks, Jr.'s term will expire on March 1, 2013.
- Applicant must be a Historic Home Owner.
- Appointment can be made on February 19, 2013.

**Applicant:**

- Dewitt T. Hicks, Jr.

Council Member Karriem made a motion to reappoint Dewitt T. Hicks, Jr. to the Columbus Convention and Visitors Bureau for a 3-year term. Council Member Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion passed.

**Columbus Municipal School Board**

- One vacancy
- 5-Year Term
- Tommy Prude's term will expire on March 2, 2013.
- Appointment can be made on February 19, 2013.

**Applicants:**

- Tommy T. Prude

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- Angela C. Verdell
- Antwann Richardson
- ~~Pamela J. Whitney~~ (withdrew)
- James E. Samuel, Sr.

Council Member Taylor made a motion to appoint Angela C. Verdell to the Columbus Municipal School Board for a 5 -year term. Council Member Karriem seconded the motion.

All Council Members voted in favor of the motion.

The motion passed.

**VII. CITIZENS INPUT AGENDA:**

**A. Juanita Bankhead – Re: Insurance Claim**

Ms. Juanita Bankhead approached the Mayor and Council regarding damage she received to her vehicle in December 2012, while traveling on Bluecut Road. Ms. Bankhead reported damage to two (2) tires after hitting a pothole on the edge of the road. Public Works Director Mike Pratt remarked that the City repaired the area where the street was widened. Human Resources Director, Patricia Mitchell, reported that five (5) claims were received concerning the same area and the City's Insurance denied all of the claims. Ms. Bankhead was encouraged to re-file the claim.

**B. Billy Perkins – Re: Blocking Streets in East Columbus**

Mr. Billy Perkins, an East Columbus Citizen, approached the Mayor and Council regarding problems with citizens playing basketball in the middle of the street. He also reported that citizens on Poplar Street have thrown old automobile tires on or near the street, which has created an unsightly environment.

**VIII. POLICY AGENDA:**

**A. Discuss/Approve Cooperative Agreement and Resolution Governing the use of Grant Funds for a BRAC Project for a Small Arms Firing Range.**

Council Member Taylor made a motion to approve a cooperative Agreement and Resolution Governing the use of Grant Funds for a BRAC Project for a Small Arms Firing Range, with much of the City's match of \$136,500.00 being in-kind services. Council Member Gavin seconded the motion, and then the question was put to a roll call vote; the result was as follows:

|                               |        |            |
|-------------------------------|--------|------------|
| Council Member Gene Taylor    | voted: | <u>Yea</u> |
| Council Member Joseph Mickens | voted: | <u>Yea</u> |
| Council Member Charlie Box    | voted: | <u>Yea</u> |
| Council Member Fred Stewart   | voted: | <u>Yea</u> |
| Council Member Kabir Karriem  | voted: | <u>Yea</u> |
| Council Member Bill Gavin     | voted: | <u>Yea</u> |

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**The Resolution and Agreement Follow:**

RESOLUTION APPROVING  
COOPERATIVE AGREEMENT FOR  
DISBURSEMENT OF MATCHING FUNDS  
FOR MISSISSIPPI DEVELOPMENT AUTHORITY (MDA)  
GRANT FOR MAJOR ECONOMIC IMPACT AUTHORITY  
BASE REALIGNMENT AND CLOSURE PROJECT

The Mayor and City Council of the City of Columbus, Mississippi (the "City"), took up for consideration the matter of a cooperative agreement governing the disbursement of matching funds for the Mississippi Development Authority grant for a Major Economic Impact Authority Base Realignment and Closure Project in the form of the Agreement attached to this Resolution as Exhibit "1" thereto. After the Mayor introduced the subject, Council Member Taylor offered and moved the adoption of this resolution approving the said project.

Following the reading of the foregoing Resolution, together with the Exhibit, Council Member Swins, seconded the motion for its adoption. After discussion by the Mayor and City Council of the proposed resolution, The Mayor put the question to a roll call vote, and the result was as follows:

|                               |                   |
|-------------------------------|-------------------|
| Council Member Gene Taylor    | voted: <u>yes</u> |
| Council Member Joseph Mickens | voted: <u>yes</u> |
| Council Member Charlie Box    | voted: <u>yes</u> |
| Council Member Fred Stewart   | voted: <u>yes</u> |
| Council Member Kabir Karriem  | voted: <u>yes</u> |
| Council Member Bill Gavin     | voted: <u>yes</u> |

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the Resolution adopted, on this the 19<sup>th</sup> day of February, 2013.

\_\_\_\_\_  
MAYOR, CITY OF COLUMBUS, MISSISSIPPI

ATTEST:

RESOLUTION APPROVING  
COOPERATIVE AGREEMENT FOR  
DISBURSEMENT OF MATCHING FUNDS  
FOR MISSISSIPPI DEVELOPMENT AUTHORITY (MDA)  
GRANT FOR MAJOR ECONOMIC IMPACT AUTHORITY  
BASE REALIGNMENT AND CLOSURE PROJECT

The Board of supervisors of Lowndes County Mississippi (the "County"), took up for consideration the matter of a cooperative agreement governing the disbursement of matching funds for the Mississippi Development Authority grant for a Major Economic Impact Authority Base Realignment and Closure Project in the form of the Agreement attached to this Resolution as Exhibit "1" thereto. After the President of the Board of Supervisors introduced the subject, Supervisor \_\_\_\_\_ offered and moved the adoption of this resolution approving the said project.

Following the reading of the foregoing Resolution, together with the Exhibit, Supervisor \_\_\_\_\_, seconded the motion for its adoption. After discussion by the Board of the proposed resolution, the President of the Board put the question to a roll call vote, and the result was as follows:

|                     |              |
|---------------------|--------------|
| Supervisor Sanders  | voted: _____ |
| Supervisor Holloman | voted: _____ |
| Supervisor Brigham  | voted: _____ |
| Supervisor Smith    | voted: _____ |
| Supervisor Brooks   | voted: _____ |

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the Resolution adopted, on this the \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
PRESIDENT, LOWNDES COUNTY BOARD  
OF SUPERVISORS

ATTEST:

\_\_\_\_\_  
CLERK OF BOARD OF SUPERVISORS

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SECRETARY-TREASURER  
COLUMBUS, MISSISSIPPI

COOPERATIVE AGREEMENT FOR  
DISBURSEMENT OF MATCHING FUNDS  
FOR MISSISSIPPI DEVELOPMENT AUTHORITY (MDA)  
GRANT FOR MAJOR ECONOMIC IMPACT OF AUTHORITY  
BASE REALIGNMENT AND CLOSURE PROJECT

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This cooperative agreement entered into on this the \_\_\_\_\_ day of February, 2013 between Lowndes County Board of Supervisors, 505 2<sup>nd</sup> Ave. N., Columbus, Lowndes County, Mississippi, hereinafter referred to as "the County" and The City of Columbus, Mississippi, 523 Main St., Columbus, Lowndes County, Mississippi, hereinafter referred to as "the City".

RECITALS

1. Title 57, Chapter 75, of the Mississippi code of 1972 as amended, authorizes the Mississippi Development Authority (MDA), on behalf of the State of Mississippi to provide financial assistance for any "Project" of the type identified in Section 5 thereof, including, but not limited to those described in subparagraph (f)(ii)(1) thereof. Said section contemplates financial assistance for:

Any major capital project designed to improve, expand or otherwise enhance any active duty or reserve United States armed services bases and facilities or any major Mississippi National Guard training installations, their support areas or their military operations, to be recommended for closure or realignment pursuant to the Defense Base Closure and Realignment Act [BRAC] of 1990, as amended, or other applicable federal law; or any major development project determined by the authority to be necessary to acquire or improve base properties and to provide employment opportunities through construction of projects as



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defined in section 75-3-5, which shall be located on or provide direct support service or access to such military installation property in the event of closure or reduction of military operations at the installation.

2. The City and the County agree to institute a "Project" as defined above, at or near Yorkville Road, City of Columbus, Lowndes County, Mississippi, on real property formerly known as the Maxxim Medical property, to construct a small-arms firing range and building for use in, among other things, training emergency response law enforcement officers of the City and County as well as the in furtherance of the missions of Columbus Air Force Base.

3. On or about September 4, 2012, the City and the County passed resolutions supporting their joint application to MDA for a grant in the approximate amount of \$2,030,000 for the aforesaid Project, and in furtherance thereof, agreed that both the County and the City would each contribute matching funds in the approximate amount of 10% of the ultimate grant, for total matching funds of 20%. Ultimately the County, acting as lead agent for the City and County, made application to MDA for the said grant.

4. On or about December 6, 2012, MDA approved the aforesaid grant application in the total amount of \$1,092,000.00. The total match required under said grant shall be approximately \$273,000.00 depending upon the overall cost to complete the Project. Both the City and the County, hereby agree to make a match of fifty percent of the aforesaid sum, totaling an amount of approximately \$136,500.00 for the County and an amount of approximately \$136,500.00 for the City, depending upon the total cost of the Project. Subject to MDA approval, the matching contributions may be made by the City and the County as follows: in cash, real and personal property, and in-kind services, including professional services and either self-performed or third-party construction.

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5. The County and MDA shall maintain an accounting of actual costs incurred in the construction of the Project. To facilitate the disbursement of the grant proceeds and the administration of the Project, the County shall be designated as the fiscal agent for the grant proceeds and matching contributions, and shall serve as the lead agent to oversee and supervise the award of and completion of any contracts and work orders for construction of the small arms firing range and the related improvements thereto. Further, the County agrees to pay all costs, expenses and fees incurred in the administration of the project. Notwithstanding this provision, City agrees to reimburse the County for its 50% share of such reasonably incurred costs, expenses and fees.

6. The County agrees that the Project is a joint undertaking between it and the City. Therefore, the design of the Project must be mutually agreeable to both the City and the County before work on the Project is undertaken.

7. The County, acting as lead agent, and City acting as co-owner of the proposed small arms firing range, each agree that they will enter into such other agreements between themselves and/or the Columbus Air Force Base, as may be necessary and appropriate to carry out the intentions of the parties to this Agreement, including agreements governed by the Interlocal Cooperation Act, such that each of the parties hereto may carry out their respective missions in furtherance of the Project.

[ ] This Cooperative Agreement has been considered and agreed upon and entered into the minutes of the Lowndes County Board of Supervisors on this the \_\_\_\_\_ day of February, 2013.

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PRESIDENT, LOWNDES COUNTY  
BOARD of SUPERVISORS

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Attested by Clerk of the Board of Supervisors

[ ] This Cooperative Agreement has been considered and agreed upon and entered into the minutes of the Mayor and City Council of Columbus, Mississippi on this the \_\_\_\_\_ day of February, 2013.

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MAYOR, CITY of COLUMBUS,  
MISSISSIPPI

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Attested by Secretary Treasurer of the City

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**B. Conduct Hearing on Overgrown Lots and Dilapidated Houses.**

**Leroy Malone**  
**2218 3<sup>rd</sup> Avenue South**  
**Case Number: 12-285 Vegetables**

The General Counsel called for cause number 12-285. Derrick Nash stated that the property located at 2218 3<sup>rd</sup> Avenue South has been remediated. Council Member Karriem made a motion to allow the City of Columbus to remediate the property in accordance with the City's Overgrown Lot and Dilapidated Structure Ordinance and for an Order stating the City may remediate the property with respect to cutting grass and weeds and removing rubbish, personal property, and other debris on the land no more than twelve (12) times in a twenty-four (24) month period following the Order, without further notice to the owner. Costs are to be assessed in accordance with the applicable City ordinances. Council Member Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion passed.

**Charlie Goode**  
**715 16<sup>th</sup> Street North**  
**Case Number: 13-018 Vegetation & Rubbish**

The General Counsel called for cause number 13-018. No one appeared. Code Enforcer Derrick Nash requested immediate abatement and requested an Order be issued for the property located at the 715 16<sup>th</sup> Street North. Council Member Karriem made a motion in accordance with the City's Overgrown Lot and Dilapidated Structure Ordinance and for an Order stating the City may remediate the property with respect to cutting grass and weeds and removing rubbish, personal property, and other debris on the land no more than twelve (12) times in the twenty-four (24) month period following the Order, without further notice to the owner. Costs are to be assessed in accordance with applicable City ordinances. Council Member Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion passed.

**Mary Lee Moody**  
**1208 7<sup>th</sup> Avenue North**  
**Case Number: 13-019 Vegetation & Rubbish**

The General Counsel called for cause number 13-019. Derrick Nash stated that the property located at 1208 7<sup>th</sup> Avenue North has been remediated. Council Member Karriem made a motion to allow the City of Columbus to remediate the

property in accordance with the City's Overgrown Lot and Dilapidated Structure Ordinance, and for an Order stating the City may remediate the property with respect to cutting grass and weeds and removing rubbish, personal property, and other debris on the land no more than twelve (12) times in a twenty-four (24)

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month period following the Order, without further notice to the owner. Costs are to be assessed in accordance with the applicable City ordinances. Council Member Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion passed.

**Shelia Sanders**  
**5<sup>th</sup> Avenue North**  
**Case Number: 13-020 Vegetation & Rubbish**

The General Counsel called for cause number 13-020. No one appeared. Code Enforcer Derrick Nash requested immediate abatement and requested an Order be issued for the property located at the 5<sup>th</sup> Avenue North. Council Member Taylor made a motion in accordance with the City's Overgrown Lot and Dilapidated Structure Ordinance and for an Order stating the City may remediate the property with respect to cutting grass and weeds and removing rubbish, personal property, and other debris on the land no more than twelve (12) times in the twenty-four (24) month period following the Order, without further notice to the owner. Costs are to be assessed in accordance with applicable City ordinances. Council Member Box seconded the motion.

All Council Members voted in favor of the motion.

The motion passed.

**Brice Miller LLC**  
**1514 3<sup>rd</sup> Avenue North**  
**Case Number: 13-029 Structure**

The General Counsel stated that BankFirst had foreclosed on the property and became aware of the hearing when showing the property to a prospective buyer of the property located at 1514 3<sup>rd</sup> Avenue North and indicated that the Bank asked that cause number 13-029 be tabled for thirty (30) days. Code Enforcer Derrick Nash concurred with the request. Council Member Stewart made a motion to table cause number 13-029 for thirty (30) days. Council Member Karriem seconded the motion.

All Council Members voted in favor of the motion.

The motion passed.

**Case Numbers: 10-228 & 10-229**

Council Member Taylor made a motion to void the fees on the cause numbers 10-228 & 10-229, due to an error in the service of process upon the owners. Council Member Stewart seconded the motion.

All Council Members voted in favor of the motion.

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The motion passed.

**C. Discuss/Approve New IC Cousins Purchase Agreement.**

The Mayor recognized Roger Short, Director of the CLRA who reported that the proposed buyers of the I. C. Cousins property have reported that the property has drainage problems. Mr. Roger Short, Director of Parks & Recreation Authority, approached the podium and agreed to reduce the sales price of the property by \$2,000, from \$22,500 to \$20,500.00 AS IS. Council Member Stewart made a motion to approve the sale the IC Cousins Center for the amount of \$20,500.00 with the understanding the buyer will be responsible for repairing any drainage problems. Council Member Karriem seconded the motion.

All Council Members voted in favor of the motion.

The motion passed.

**D. Discuss/Approve payment to Columbus Light & Water for the Sewer Improvement Project.**

Council Member Karriem made a motion to approve payment to Columbus Light & Water in the amount of \$100,000.00 for the Sewer Improvement Project. Council Member Stewart seconded the motion.

All Council Members voted in favor of the motion, with the exception of Councilman Joseph Mickens.

The motion passed with the majority of the vote.

**E. Discuss/Approve Proposed Agreement between Columbus Light & Water and the City of Columbus to paint the utility poles on Main Street, Hwy 82 and 5<sup>th</sup> Streets and to assign one Public Works Employee and Columbus Light & Water Employee and share the expenses for paint and other utensils.**

Council Member Karriem made a motion to approve the Agreement between the City of Columbus and Columbus Light & Water. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion passed.